

**IN THE CLAIMS:**

*This listing of claims will replace all prior versions and listings of claims in the application*

**Listing of Claims:**

*Claims 1-9 (Cancelled)*

10. (New) A base station apparatus, comprising:

a communication unit which communicates with a predetermined terminal apparatus at a variable transmission rate;

a transmission rate varying unit which performs a processing of varying a transmission rate of an uplink or downlink according to a channel quality of the terminal apparatus;

a detector which detects information on a degree of priority for either the uplink or downlink from among signals received from the terminal apparatus; and

a communication control unit which maintains a transmission rate based on the detected degree of priority.

11. (New) A base station apparatus, comprising:

a communication unit which communicates with a predetermined terminal apparatus at a variable transmission rate;

a transmission rate varying unit which measures a quality of a channel for the terminal apparatus and performs a processing of varying a transmission rate of an uplink, resulting from stoppage of a downlink communication according to the quality;

a detector which detects information on a degree of priority for the downlink from among signals received from the terminal apparatus; and

a communication control unit which maintains a transmission rate of the uplink if the downlink has a higher degree of priority.

12. (New) A base station apparatus, comprising:

a communication unit which communicates with a predetermined terminal apparatus at a variable transmission rate;

a transmission rate varying unit which acquires information on a channel quality from the terminal apparatus and performs, based on the information, a processing of varying a transmission rate of a downlink resulting from stoppage of an uplink communication;

a detector which detects information on a degree of priority for the uplink from among signals received from the terminal apparatus; and

a communication control unit which maintains a transmission rate of the downlink if the uplink has a higher degree of priority.

13. (New) A base station apparatus according to Claim 10, further comprising a signal monitoring unit which monitors a type or amount of signals transmitted from and received by said communication unit,

wherein said communication control unit does not stop the varying processing in said transmission rate varying unit, according to the type or amount of signals of a line which is required to be prioritized by the information on a degree of priority.

14. (New) A base station apparatus according to Claim 11, further comprising a signal monitoring unit which monitors a type or amount of signals transmitted from and received by said communication unit,

wherein said communication control unit does not stop the varying processing in said transmission rate varying unit, according to the type or amount of signals of a line which is required to be prioritized by the information on a degree of priority.

15. (New) A base station apparatus according to Claim 12, further comprising a signal monitoring unit which monitors a type or amount of signals transmitted from and received by said communication unit,

wherein said communication control unit does not stop the varying processing in said transmission rate varying unit, according to the type or amount of signals of a line which is required to be prioritized by the information on a degree of priority.

16. (New) A terminal apparatus, comprising:

a communication unit which communicates with a predetermined base station apparatus at a variable transmission rate;

a decision unit which determines either an uplink or a downlink, to which priority is to be given, with the base station apparatus; and

a communication control unit which maintains a transmission rate based a degree of priority determined by said decision unit.

17. (New) A terminal apparatus according to Claim 16, wherein if the downlink is determined to be prioritized, said communication control unit disregards an instruction, issued from the base station apparatus, about a change in an uplink transmission rate and if the uplink is determined to be prioritized, it does not request the base station apparatus to vary the transmission rate, regardless of a channel quality of the downlink.

18. (New) A terminal apparatus according to Claim 16, further comprising a signal generator which generates a request signal, as information on the degree of priority of a line, for a line to which priority is to be given and which sends the generated request signal to the base station apparatus.

19. (New) A terminal apparatus according to Claim 17, further comprising a signal generator which generates a request signal, as information on the degree of priority of a line, for a line to which priority is to be given and which sends the generated request signal to the base station apparatus.

20. (New) A method for determining a transmission rate, the method characterized in that a request signal about a degree of priority for either an uplink or a downlink is detected from a terminal apparatus to be communicated at a variable transmission rate and if the degree of priority for one of the uplink and the downlink with the terminal apparatus is higher than that for the other, a transmission rate of the other line is maintained.

21. (New) A program executable by a computer, the program including the functions of:

detecting via a wireless network a request signal about a degree of priority for either an uplink or a downlink, from a terminal apparatus to be communicated at a variable transmission rate and storing it in a memory; and

maintaining a transmission rate of the uplink if the request signal stored in the memory indicates that the downlink is to be given priority or maintaining a transmission rate of the downlink if the request signal stored in the memory indicates that the uplink is to be given priority.